

Remarks

Summary

The claims have been amended to address formal objections and the specification and claims have been amended to overcome a rejection under 35 U.S.C. § 112, first paragraph. Therefore, is the application now in allowable form?

Status of the claims

Claims 1, 3, 6, 8, 9, 13, 15, 16, 18, 21, 22, 27, 34, 36, 39, 42, 43, 44, 46, 48-50, 52-55, 57, and 59-66 have been amended to improve their form. Claims 1, 3, 5, 6, 8-11, 13-22, 24, 26, 27, 29-32, 34-44, 46, 48-50, 52-55, 57, and 59-66 are pending. Claims 1, 6, 13, 22, 27, 34, 43, 44, 49, 50, 57, 59, and 78 are independent.

Requested action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding objections and rejection in view of the foregoing amendments and the following remarks.

Applicants also respectfully request that this Amendment be entered. This Amendment merely comprises formal amendments to overcome a formal objection and rejection and minor amendments to improve the form of certain claims. Therefore, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicants submit that this Amendment places the application in condition for allowance, or at the very least, places the application in better form for appeal. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Allowed claims

Applicants gratefully acknowledge the allowance of Claims 50, 52/50, 53/50, 54/50, and 55/50.

Formal objection

Claims 13-21, 43, 46/43, 48/43, 50, 52/50, 53/50, 54/50, 55/43, 55/50, 59, 60/59, 61/59, 62/61/59, 63/59, 64/59, 65/59, and 66/59 are objected to for minor informalities in Claims 13, 43, 50, and 59. In addition, the Examiner makes specific suggestions for overcoming the objection. In response, Applicants have adopted the Examiner's suggestions, thereby obviating the objection. In addition, Applicants have also amended a number of the claims to improve their form.

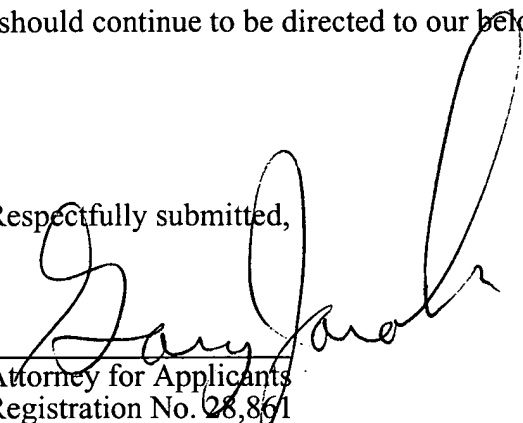
Formal rejection

Claims 1, 3, 5, 6, 8-11, 13-22, 24, 26, 27, 29-32, 34-44, 46, 48, 49, 52/49, 53/49, 54/49, 55/49, 57, and 59-66 are rejected under 35 U.S.C. § 112, first paragraph, and the October 21, 2002 Amendment is objected to as introducing new matter because the specification allegedly does not disclose that at least a lower end of the second electrode takes a position above the first electrode, as recited in the independent claims. In response, while not conceding the propriety of the objections, the specification and claims have been amended to address the points raised by the Examiner. Applicants submit that as amended, these claims now even more clearly satisfy 35 U.S.C. § 112, first paragraph, and support the recitation in Claim 1, for example, that at least a lower end of a first electrode takes a position above a second electrode. Thus, Figure 29 shows that a lower end of a first electrode (corresponding but not limited to element 81) takes a position above a second electrode (corresponding but not limited to element 82).

In view of the above amendments and remarks, withdrawal of the outstanding objections and rejections is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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